

PART III ELECTION OPERATIONS
SECTION C POST-ELECTION
Chapter 13 Conducting Recounts

- 1.0 PURPOSE: To establish procedures for conducting mandatory and requested recounts of elections in King County.
- 2.0 POLICIES:
 - 2.1 Mandatory Recount.
 - 2.1.1 If official election results indicate that the difference in the number of votes cast for the candidate apparently nominated or elected to any office and the number of votes cast for the closest apparently defeated opponent is less than two thousand votes and also less than one half of one percent of the total number of votes cast for both candidates, or if the results indicate a tie between candidates, the canvassing board shall conduct a recount of all votes cast for that position at no cost to any candidate.
 - 2.1.2 If such a difference occurs for a position or office that the declaration of candidacy for which was filed with the Secretary of State, the direction to conduct the recount shall be given by the Secretary of State within three business days of the day that the returns of the primary of election are first certified by the canvassing board.
 - 2.2 Requested Recount.
 - 2.2.1 An officer of a political party, any person for whom votes were cast in a primary or any election, or any group of five or more registered voters may file a written application for a recount of the votes cast.
 - 2.2.2 Political party officers or candidates can only request recounts of candidate elections. A group of registered voters can only request recounts of votes cast upon any local ballot measure. A group of registered voters should also designate one of the group as chairperson and shall indicate the voting residence of each member of the group.
 - 2.3 Once an election is certified, ballots shall not be recounted except as provided by law.
 - 2.4 Type of Recount.
 - 2.4.1 The statutes provide that the person requesting a recount may specify whether the recount shall be conducted using the vote tallying system or shall be counted by hand. Where neither is specified, the vote tallying system shall be used, unless the canvassing board determines otherwise. Mandatory recounts shall be by the same method as the original counting process, unless:
 - (a) If the recount is requested, and the requester indicates a different method.
 - (b) The difference in the number of votes cast for the candidates is less than one-hundred fifty votes and also less than one-fourth of one percent of the total number votes cast for both candidates, in which case, the recount shall be by hand, or
 - (c) The total number of ballots to be counted is 200 or less, in which case the recount may be conducted by hand; or
 - (d) The board specifically directs a different method be used.

- 2.5 Recounts are conducted by the Canvassing Board, which shall be convened for that purpose. The Board will normally delegate in writing instructions for the actual preparation and recount of ballots to Election Section staff. Recounts shall be conducted as provided by law
- 2.6 The conduct of an authorized recount shall be in conformance with the Canvassing Board Administrative Rules (the Rules). *(See especially Chapters 10 and 11.)*
- 2.7 Principals to the primary or election, or representing the committees for and against a ballot proposition, and other interested parties shall be notified as soon as the time, place and type of recount is determined. A copy of the Canvassing Board Recount Guidelines for Observers, Media and the Public shall be included with each formal notification.
- 2.8 The time, place and nature of the recount shall be posted by public notice, copies of which shall be made available to the media, except recounts for precinct committee office positions, unless requested.
- 2.9 Recounts conducted by the electronic vote tallying system shall be conducted in the same manner as the original tally except only the specified race or measure shall be programmed for tabulation. Polling place ballot tallying will be simulated by setting up voting devices in the Elections Center and tallying the ballots by precinct.
- 2.10 Votes not counted.
 - 2.10.1 If during the process of the recount, the following situations are found, the validity of the vote will be determined as follows.
 - a) No mark whatsoever within the oval on the ballot. Vote does not count.
 - b) If more positions are marked than permissible. Vote does not count for that question or position.
 - c) If more than one position is marked, but it is clear that one of the marked positions is intended to be a cancellation. Delete the canceled vote by substitution (duplication) or enhancement.
 - d) Partial mark or multiple marks where the correct mark cannot be readily discerned. Set aside and refer to the board for determination.
 - 2.10.2 If a write-in position contains the name, and if applicable, the political party, of a candidate whose name already appears on the ballot for that position, the write-in vote is counted unless the candidate's name has also been marked on the ballot, in which case the write-in vote will be stricken.
- 2.11 Cost of the recount.
 - 2.11.1 The actual cost of the recount will be deducted from the amount deposited with the county at the time of the application, and the balance, if any, returned to the applicant.
 - 2.11.2 Should the cost of the recount exceed the deposit, the applicant shall pay the difference. If, however, the recount changes the result of the nomination or election for which the recounted was ordered, no charges may be deducted by the canvassing board.

3.0 PROCEDURES:

<u>Action By</u>		<u>Action</u>
Election Staff	3.1	Upon receipt of an inquiry regarding recounts, mails a “recount information package” to the inquirer. <i>(See Figure 1.)</i>
Superintendent	3.2	Reviews election results to determine if any races fall within the parameters for an automatic recount. Advises Manager of any such races.
Secretary of State	3.3	Informs the County if a statewide or multi-county jurisdictional race requires a recount, either mandatory or requested.
person filing an application for recount	3.4	<p>The person filing an application for recount of an election must do so in writing within three business days of the date the canvassing board or Secretary of State has certified that election as official.</p> <ul style="list-style-type: none"> a) An application for a recount must be filed with the officer with whom the filings are made for that jurisdiction. b) An application for a recount must specify the office, issue or question for which a recount is requested, whether the request is for all or only a portion of the precincts within the jurisdiction of the recount, and also specify if the recount is to be conducted manually (hand-count) or by the vote tallying system.
	3.5	<p>The person filing a recount application shall deposit with the board as security for the costs of conducting the recount, a sum, either in cash or by certified check, as follows:</p> <ul style="list-style-type: none"> a) If for a manual recount equal to twenty-five cents for each ballot cast in the portion of the election to be recounted. b) If for a recount conducted by the vote tallying system, the deposit must be equal to fifteen cents for each ballot counted.
Election Staff	3.6	Receives and time stamps a request for a recount accompanied by the appropriate deposit received prior to statutory deadline. Forwards original to Manager and prepares copy for Superintendent and deposit is given to the Division Accountant.
Manager	3.7	Establishes time and date for recount.
Superintendent	3.8	Notifies Canvassing Board and obtains delegation.

Assistant Superintendent Election	3.9	Sends Notification to affected and interested parties. Includes a copy Canvassing Board Guidelines for Observers, Media and Public. (<i>See Rules, Appendix G.</i>)
	3.10	Obtains official observers from major political parties.
	3.11	Selects Counting Boards or prepares computer programs.
	3.12	Prepares tabulation forms and master recount list.
	3.13	Develops floor plan for assigning spaces for the counting Boards, supervisors and observers. Prepares ID cards for appropriate person(s) and/or groups.
Superintendent	3.12	Instructs observers on method for recount.
Canvassing Board Delegates	3.13	Conduct the recount following the procedures contained in the Rules.
Manager/Superintendent	3.14	Provides a copy of recount results to affected candidates, requesting parties and other interested persons.
		a) If different from original tabulation, prepares amended abstracts and forwards copy to SECSTATE if applicable.
		b) If outcome of local election differs, prepares a new certificate of elections.
Canvassing Board	3.15	If applicable, certifies the recount and approves amendment to the Abstract of Votes.
Assistant Superintendent Elections	3.16	Compiles costs involved including staff hours and submits to the Division Accountant.

4.0 REFERENCES:

- 4.1 Chapter 29.64 RCW - Recounts
- 4.2 WAC Chapter 434-264 - Recounts.
- 4.3 Canvassing Board Administrative Rules, Chapters 9 through 11

5.0 DEFINITIONS:

- 5.1 “*Recount*” means to officially count and tabulate the ballots for a given election over again for the record after the results have been certified to ensure that the original tally was accurate.

6.0 REPLACEMENT. This supercedes document ELE 10-12 (DP) of May 16, 1994

Figure 1

RECOUNT PROCESS INFORMATION

MANDATORY RECOUNT (RCW 29.64.015)

When:	For candidate races when the difference in the certified votes between the person apparently elected (an election) or nominated (a primary) and the next highest vote getter is one/half of one percent (0.5%) or less of the total votes cast for both candidates.
When Conducted:	The County Canvassing Board will determine when and where the recount will be conducted, but not more than three business days after certification of the election.
Cost:	No cost to the candidates.

NOTE: *There is no mandatory recount for local ballot measures.*

APPLICATION FOR RECOUNT (RCW 29.64.010)

By Whom:	For elective offices – an officer of a political party or any person for whom votes were cast in an election, or in a primary by a person not nominated. For ballot measures – a group of five or more registered voters, one of whom shall be designated group chairperson.
When:	Within three working days of the day that the election is certified.
How:	In writing indicating the following: <ul style="list-style-type: none">• Office or ballot measure• Whether recount of all ballots or partial i.e., specific precincts.• Whether recount to be manual or by vote tally system. (If tally system is used, a separate program and test from original count will be used).• For ballot measures, include name and residence of each member of the petitioning group.• That security deposit is included, or how and when it will be paid.
Security Deposit:	a. \$0.25 per ballot for a hand (manual) recount. b. \$0.15 per ballot for a recount using the computer ballot tabulating system
How Paid:	By cash or by certified check. (Personal checks not accepted.) Deposit as security against actual charges which will be determined by the County Canvassing Board. (Formula to determine actual cost, see RCW.) 29.64.060.)

PROCEEDING (RCW 29.64.020)

When Conducted: As determined by Canvassing Board but must be less than three business days after the date that the application is filed.

By Whom: County Canvassing Board and its delegates.

Notification: Notification of date/time/place and the nature of the recount is sent to all interested parties (applicants, candidates, others directly affected by the ballot measure, if any).

Where: Determined by the Canvassing Board, but usually in the same location the ballots were counted originally.

Attending:

- Canvassing Board Members and/or delegates.
- Pertinent Election Officials.
- Petitioners.
- Interested parties (subject to reasonable and equitable guidelines).
- Public on space available basis.
